

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

LILLIAN HURTADO, Individually,
HELEN LAURA LOPEZ, as Personal Representative
of the Wrongful Death Estate of VICTORIA VAUGHT, Deceased;
DANIEL VAUGHT, Individually;
TODD LOPEZ, as Personal Representative
of the Wrongful Death Estate of MARIAH HURTADO,
KRISTINA MARTINEZ as Personal Representative
of the Wrongful Death Estate of TINA HURTADO;
JASON HURTADO, Individually and as Next Friend of
E.H. and K.L., minors; and SHIVAUN CARTER, Individually;

Plaintiffs,

v.

No. 1:22-cv-00599-KG-JFR

Removed from the District
Court of Santa Fe County,
State of New Mexico,
D-101-CV-2022-01147

AM TRANSPORT SERVICES, INC., LARIE APARICIO,
AMT LEASING, INC., MAURICIO MARQUEZ, and
FNF CONSTRUCTION INC., and
ROADSAFE TRAFFIC SYSTEMS, INC., Individually and
as successor-in interest to HIGHWAY SUPPLY COMPANY,
INC., a/k/a HIGHWAY SUPPLY, LLC, and
NOMOREHS, LLC, f/k/a Highway Supply, LLC

Defendants.

ORDER DISMISSING ROADSafe TRAFFIC SYSTEMS, INC. AND NOMOREHS, LLC

COMES NOW Defendants ROADSafe TRAFFIC SYSTEMS, INC. AND
NOMOREHS, LLC's Motion for Summary Judgment or, in the alternative, Motion to Dismiss;
and the Court, having received no opposition to said Motion, hereby ORDERS as follows:

1. Defendants ROADSAFE TRAFFIC SYSTEMS, INC. and NOMOREHS, LLC's Motion is granted.
2. ROADSAFE TRAFFIC SYSTEMS, INC. and NOMOREHS, LLC are hereby dismissed with prejudice from this matter.
3. At trial, no party shall point to ROADSAFE, NOMOREHS, or Highway Supply, LLC as an empty-chair defendant or ghost defendant;
4. At trial, all references to ROADSAFE, NOMOREHS, or Highway Supply, LLC shall be redacted from the evidence presented to the jury;
5. At trial, no party shall mention ROADSAFE, NOMOREHS, or Highway Supply, LLC; infer ROADSAFE or NOMOREHS or Highway Supply, LLC has any liability, or assert any defense that would include ROADSAFE or NOMOREHS or Highway Supply, LLC as an empty-chair or ghost defendant;
6. ROADSAFE, NOMOREHS, and Highway Supply, LLC shall not be on the verdict form.

IT IS SO ORDERED.

/s/ KENNETH J. GONZALES¹
CHIEF UNITED STATES DISTRICT JUDGE

¹ Please note that this document has been electronically filed. To verify its authenticity, please refer to the Digital File Stamp on the NEF (Notice of Electronic Filing) accompanying this document. Electronically filed documents can be found on the court's PACER public access system.